

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VIRTRU CORPORATION,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

CASE NO. 2:23-cv-872

ORDER SETTING
TRIAL DATE AND
RELATED DATES

SCHEDULING DEADLINES

Having reviewed the parties' Joint Status Report and Discovery Plan, the Court sets the following trial and related dates:

EVENT

DATE

JURY TRIAL begins

April 7, 2025

Length of trial

7 days

Reports from expert witnesses under FRCP 26(a)(2)
due

August 2, 2024

Rebuttal expert reports due

September 2, 2024

All discovery motions must be filed by
(and noted on the motion calendar 21 days from the
filing date; *see* LCR 7(d)(3))

September 12, 2024

EVENT	DATE
Discovery completed by	October 10, 2024
All dispositive motions must be filed by (and noted on the motion calendar 28 days from the filing date; <i>see</i> LCR 7(d)(4))	December 12, 2024
All motions related to expert witnesses (<i>e.g.</i> , Daubert motion) must be filed by and noted on the motion calendar no later than 21 days thereafter (<i>see</i> LCR 7(d)(3))	December 19, 2024
Settlement conference per LCR 39.1(c)(2) held no later than	January 13, 2025
All motions <i>in limine</i> must be filed by (and noted on the motion calendar for 21 days before the Pretrial Conference)	March 6, 2025
Agreed pretrial order due	March 21, 2025
Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due	March 21, 2025
Pretrial Conference at 09:00 AM on	March 28, 2025

The Local Rules set all other deadlines. Except as provided for in Judge Whitehead's Chambers Procedures, the dates listed in this order and set by the Local Rules are firm and cannot be changed by agreement between the parties. The Court may alter the dispositive motions deadline and the dates that follow, but only if good cause is shown. Failure to complete discovery within the time allowed does not establish good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event must be performed on the next business day.

If the scheduled trial date creates an irreconcilable conflict, counsel must email Grant Cogswell, Courtroom Deputy, at grant_cogswell@wawd.uscourts.gov

1 within 10 days of the date of this Order, explaining the exact nature of the conflict.
2 Failure to do so will be treated as a waiver. Counsel and pro se parties must be
3 prepared to begin trial on the date scheduled but should understand that trial may
4 have to await the completion of other cases (e.g., criminal cases).

5 **PROCEDURAL MATTERS**

6 All counsel and pro se parties must be familiar with and follow the District's
7 Local Rules, Electronic Filing Procedures for Civil and Criminal Cases, and General
8 Orders, which can be found on the Court's website at [https://www.wawd.uscourts.](https://www.wawd.uscourts.gov/)
9 [gov/](https://www.wawd.uscourts.gov/). All counsel and pro se parties must also follow Judge Whitehead's Chambers
10 Procedures, which are available at [https://www.wawd.uscourts.gov/judges/](https://www.wawd.uscourts.gov/judges/whitehead-procedures)
11 [whitehead-procedures](https://www.wawd.uscourts.gov/judges/whitehead-procedures).

12 **SETTLEMENT**

13 If this case settles, the parties must notify Mr. Cogswell as soon as possible at
14 grant_cogswell@wawd.uscourts.gov. An attorney who fails to give prompt notice of
15 settlement may be subject to sanctions or discipline under LCR 11(b).

16 Dated this 31st day of May, 2024.

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19 Jamal N. Whitehead
20 United States District Judge
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